

STROOCK & STROOCK & LAVAN LLP

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*Attorneys for Walwilhal Associates, LLC*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<i>In re</i>	)	Chapter 11
	)	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	)	Case No. 08-13555 (JMP)
	)	
Debtors.	)	(Jointly Administered)
	)	

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**DECLARATION OF KENNETH PASQUALE IN SUPPORT OF MOTION  
FOR ENTRY OF AN ORDER PURSUANT TO SECTION 362(d) OF THE  
BANKRUPTCY CODE AND BANKRUPTCY RULE 4001 TO LIFT THE  
AUTOMATIC STAY TO PERMIT WALWILHAL ASSOCIATES, LLC TO  
PROSECUTE CERTAIN CAUSES OF ACTION IN STATE COURT**

KENNETH PASQUALE states the following under penalties of perjury:

1. I am a partner at the law firm of Stroock & Stroock & Lavan LLP, counsel to Walwilhal Associates, LLC (“Walwilhal”), admitted to practice law before the courts of the State of New York and the United States District Court for the Southern District of New York. I make this Declaration based upon my knowledge of the documents attached to this declaration.

2. Attached hereto at Exhibit A is a true and correct copy of the Affidavit of F. Robert Brusco, sworn to on October 12, 2009, and submitted in the foreclosure proceeding entitled Lehman Brothers Holdings Inc. v. 45 Broad, LLC, Kent M. Swig, et al, Index No. 100887/09 (N.Y. Sup. Ct., N.Y. Co.).

3. Attached hereto at Exhibit B are true and correct copies of Environmental Control Board Violation #34582245M and New York City Department of Buildings Violation #100207CSSTSCO1B, dated October 2, 2007 and Environmental Control Board Violation #34714977J and New York City Department of Buildings Violation # 111108CSSTMI01, dated November 11, 2008.

4. Attached hereto at Exhibit C is a true and correct copy of the Order Appointing a Receiver, dated November 17, 2009, entered in the foreclosure proceeding entitled Lehman Brothers Holdings Inc., 45 Broad, LLC, Kent M. Swig, et al, Index No. 100887/09 (N.Y. Sup. Ct., N.Y. Co.).

5. Attached hereto at Exhibit D is a true and correct copy of a letter, dated November 6, 2011, from Jacqueline Marcus at Weil, Gotshal and Manges LLP to Eva Talel and Dale J. Degenshein at Stroock & Stroock & Lavan LLP.

6. Attached hereto at Exhibit E is a true and correct copy of a letter, dated November 8, 2011, from Kenneth Pasquale at Stroock & Stroock & Lavan LLP to Jacqueline Marcus at Weil, Gotshal and Manges LLP.

I declare under the penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Dated: New York, New York  
November 22, 2011

STROOCK & STROOCK & LAVAN LLP

By: /s/ Kenneth Pasquale  
Kenneth Pasquale

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